

MINUTES OF A REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST

The regular meeting of the City Council of the City of Lake Forest held October 21, 2014, at the Lake Forest City Council Chamber, 25550 Commercentre Drive, Lake Forest, California, was called to order at 5:34 PM.

ROLL CALL:	Council Members:	David A. Bass Kathryn McCullough (absent, excused) Scott Voigts
	Mayor Pro Tem:	Adam Nick
	Mayor:	Dwight Robinson
	City Manager:	Robert C. Dunek
	City Attorney:	Scott C. Smith
	City Clerk:	Stephanie D. Smith

CLOSED SESSION

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to Government Code Section 54956.8
Property: 5.6 Acre site located at the southwest corner of Alton Parkway and Commercentre Drive (APN 610-371-02 & 610-371-05)
Agency negotiators: City Manager, Assistant City Manager and City Attorney
Negotiating parties: Meritage Homes of California, Inc.
Under Negotiation: Price and Terms of Payment for Land for On-Site Public Facilities

ACTION: Conducted Closed Session.

RECESS: City Council recessed at 6:50 p.m. from Closed Session for the purpose of conducting regular City business.

RECONVENE: City Council reconvened at 7:01 p.m. to continue regular City business with Council Member McCullough absent (excused).

PUBLIC SESSION

INVOCATION: The Invocation was led by Vic Veturis, Deacon, Arbor Christian Fellowship.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance to the Flag of our Country was led by Mayor Pro Tem Nick.

CLOSED SESSION REPORT:

City Attorney Smith stated there was no reportable action.

PRESENTATIONS:

2. PROCLAMATION DECLARING THE MONTH OF NOVEMBER AS "NATIVE AMERICAN HERITAGE MONTH" submitted by City Clerk.

MOTION: On motion by Council Member Voigts, second by Council Member Bass, the City Council approved and presented the Proclamation to Nathan K. Banda, President, Four Directions, designating the month of November as Native American Heritage Month. MOTION CARRIED with Council Member McCullough absent.

3. CERTIFICATE OF RECOGNITION FOR THE OC TITANS ON THEIR 2014 NATIONAL YOUTH BASEBALL CHAMPIONSHIP submitted by City Clerk.

MOTION: On motion by Council Member Voigts, second by Council Member Bass, the City Council approved and presented Certificates of Recognition to the members of the OC Titans in recognition of their 2014 National Youth Baseball Championship. MOTION CARRIED with Council Member McCullough absent.

REPORT FROM STUDENT LIAISON:

Joseph Hana, Student Liaison, El Toro High School, was absent.

PUBLIC COMMENTS:

The following members of the public offered comment:

Marcia Rudolph, Lake Forest resident, Director, Orange County Vector Control Board of Trustees, spoke regarding mosquito vectors.

Larry Gilbert, Mission Viejo resident, spoke regarding campaign sign theft and expressed disappointment in Mayor Pro Tem Nick's recent interaction with law enforcement over Council Member Voigts' campaign signs.

Rob Spitznagel, Lake Forest resident, spoke regarding campaign sign theft and stated his belief that elected officials should be held to a higher ethical standard. Mr. Spitznagel respectfully requested Mayor Pro Tem Nick resign from the office of Council Member.

Bob Holtzclaw, Lake Forest resident, spoke regarding ethical standards for Council Members and expressed his belief that Police Services

should handle any alleged complaints of sign theft. He also spoke regarding potential revenue sources from solar panels.

Jeff Matthews, Costa Mesa resident and Lake Forest property owner spoke regarding campaign sign theft and stated his belief public servants should be held to a higher standard of integrity. He requested Mayor Pro Tem Nick consider resignation from the office of Council Member, or not seek re-election during the next election cycle.

Nick Wilson, Lake Forest resident, spoke regarding Council Member behavior, negative campaign advertisements and campaign sign theft. He expressed his belief campaign sign theft is a violation of the public trust.

Jim Gardner, Lake Forest resident, spoke regarding Council Member behavior and requested the community's patience with regard to the investigation in the recent allegations of sign theft.

Tim Morissette, Lake Forest resident, spoke regarding the Brookfield development and concerns over parking issues for new residents.

CONSENT CALENDAR - WARRANT REGISTER: (Item No. 4)

4. CERTIFICATION OF WARRANT REGISTER

MOTION: On motion by Council Member Bass, second by Council Member Voigts, the City Council approved the warrant register in the amount of \$581,655.04 as submitted. MOTION CARRIED with Council Member McCullough absent.

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 5-15)

MOTION: On motion by Mayor Pro Tem Nick, second by Council Member Bass, the City Council approved Consent Calendar Items Nos. *5-6, *8-10, *12-15. MOTION CARRIED with Council Member McCullough absent.

*5. WAIVE READING OF ORDINANCES AND RESOLUTIONS submitted by City Clerk.

ACTION: Waived reading, by title only, of all Ordinances and Resolutions. Said Ordinances and Resolutions which appear on the public agenda shall be determined to have been read by title only, and further reading waived.

*6. MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON SEPTEMBER 16, 2014 submitted by City Clerk.

ACTION: Approved as submitted.

- *8. MONTHLY TREASURER'S REPORT - SEPTEMBER 2014 submitted by Director of Finance/City Treasurer.

ACTION: Received and filed.

- *9. CONTRACT AWARD FOR WEB SOFTWARE, REDESIGN, AND HOSTING SERVICES submitted by Deputy City Manager/Director of Management Services.

ACTION: 1. Awarded a contract in the amount of \$114,447 to CivicPlus for web software, redesign, and hosting services. 2. Authorized the Mayor to sign, and the City Clerk attest to, the agreement with CivicPlus, substantially in the form attached.

- *10. AUTHORIZATION TO APPLY FOR ORANGE COUNTY TRANSPORTATION AUTHORITY GRANT FUNDING UNDER THE 2015 CALL FOR PROJECTS submitted by Director of Public Works/City Engineer.

ACTION: 1. Adopted Resolution No. 2014-39 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST APPROVING THE SUBMITTAL OF ROCKFIELD BOULEVARD IMPROVEMENT PROJECT TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR FUNDING UNDER THE COMPETITIVE MEASURE M2 REGIONAL TRAFFIC SIGNAL SYNCHRONIZATION PROGRAM. 2. Adopted Resolution No. 2014-40 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST APPROVING THE SUBMITTAL OF PORTOLA PARKWAY WIDENING PROJECT TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR FUNDING UNDER THE COMPREHENSIVE TRANSPORTATION PROGRAM. 3. Authorized the Director of Public Works/City Engineer to complete the necessary Comprehensive Transportation Funding Program Application forms and submit them to the Orange County Transportation Authority for the projects identified in the Resolutions.

- *12. CONSIDERATION REGARDING THE ORANGE COUNTY FIRE AUTHORITY'S REQUEST TO REAFFIRM THE CITY'S SUPPORT OF THE SECOND AMENDMENT TO THE AMENDED JOINT POWERS AUTHORITY AGREEMENT submitted by City Manager.

ACTION: Adopted Resolution No. 2014-41 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST CALIFORNIA MAKING FINDINGS RELATED TO THE CITY'S PRIOR APPROVAL OF THE ORANGE COUNTY FIRE AUTHORITY'S SECOND AMENDMENT TO THE AMENDED JOINT POWERS AUTHORITY AGREEMENT.

- *13. CONSTRUCTION CONTRACT AWARD FOR TRAFFIC SIGNAL INSTALLATION AT RANCHO PARKWAY AND SPORTS PARK ENTRANCE submitted by Director of Public Works/City Engineer.

ACTION: 1. Awarded a construction contract in the amount of \$170,169 to Macadee Electrical Construction, for installation of the Traffic Signal at Rancho Parkway and Sports Park Entrance. 2. Rejected all other bids received and authorized return of the bid bonds upon receipt of the executed contract documents from Macadee Electrical Construction. 3. Authorized the Mayor to sign, and the City Clerk to attest the contract with Macadee Electrical Construction. 4. Authorized the City Manager to approve contract change orders up to a maximum of ten (10%) of the contract amount.

- *14. CONTRACT AWARD FOR HUMAN RESOURCES CONSULTING SERVICES submitted by Deputy City Manager/Director of Management Services.

ACTION: 1. Awarded a contract in the amount of \$90,000 to Ralph Andersen & Associates for Human Resources Consulting Services. 2. Authorized the Mayor to sign, and the City Clerk attest to, the agreement with Ralph Andersen & Associates, substantially in the form attached.

- *15. AWARD OF CONTRACT FOR LAKE FOREST SPORTS PARK LANDSCAPE MAINTENANCE SERVICES submitted by Director of Public Works/City Engineer.

ACTION: 1. Approved the award of contract in the amount of \$2,009,090 to Marina Landscape of Anaheim, California, for the Lake Forest Sports Park Landscape Maintenance Services. 2. Authorized the Mayor to sign, and the City Clerk to attest the contract with Marina Landscape, substantially in the form attached.

PULLED CONSENT CALENDAR ITEMS:

7. CONSIDERATION OF THE 2015 CITY COUNCIL MEETING CALENDAR submitted by City Clerk.

Council Member Bass pulled this item for separate consideration.

Council Member Bass inquired as to the procedure for conducting a City Council meeting adjacent to the polling precincts located in the City Hall Community Rooms.

City Clerk Smith stated the precincts had operated efficiently through the last several elections and that there have been no reported conflicts or issues.

MOTION: On motion by Council Member Bass, second by Council Member Voigts, the City Council approved the 2015 City Council Meeting Calendar as presented, including a Budget Workshop to be held on May 12, 2015. MOTION CARRIED with Council Member McCullough absent.

11. BID DOCUMENTS FOR ADA ACCESS RAMP IMPROVEMENTS, PHASE 7 (PW 2013.01) submitted by Director of Public Works/City Engineer.

Council Member Voigts pulled this item for separate consideration.

Council Member Voigts inquired as to the completion schedule for the entire ADA Access Ramp Project citywide. Director of Public Works/City Engineer Wheeler responded the approximately 800 ramp project is 50% complete. He reported the phased improvements are scheduled annually as grant funding permits.

MOTION: On motion by Council Member Voigts, second by Council Member Bass, the City Council: 1. Approved bid documents for construction of the ADA Access Ramp Improvements, Phase 7 (PW 2013.01). 2. Authorized staff to solicit bids. MOTION CARRIED with Council Member McCullough absent and Mayor Pro Tem Nick abstained.

DISCUSSION/ACTION ITEMS:

16. CONSIDERATION OF THE ORDER OF BUSINESS ON THE CITY COUNCIL MEETING AGENDA submitted by Deputy City Manager/Director of Management Services.

City Manager Dunek presented the staff report dated October 21, 2014.

The following member of the public offered comments:

Jim Gardner, Lake Forest resident, spoke against moving the Council comments to the beginning of the agenda.

Mayor Robinson referenced the agenda language that states what Council Comments may be used for.

Council Member Bass expressed a desire to leave AB 1234 reports at the end of the agenda, but provide the Council with an opportunity to respond to public comments earlier. He also expressed a desire to move high volume items with lots of public interest to a higher position on the agenda.

Mayor Robinson stated his belief that the Council had moved items forward in the past when there was a lot of public interest. City Manager Dunek responded this flexibility is already in place.

Mayor Robinson expressed concern that if more than two members respond, it might be considered a discussion without an agenda item. City Attorney Smith referenced the agenda language.

Council discussion ensued.

MOTION: On motion by Mayor Robinson, second by Council Member Bass, the City Council authorized Council Member responses to Public Comment not to exceed one minute, with one Council Member response permitted per Public Comment, if desired. MOTION CARRIED with Council Member McCullough absent.

17. CONSIDERATION OF CITY COUNCIL WRITTEN COMMUNICATION POLICY submitted by Deputy City Manager/Director of Management Services.

City Manager Dunek introduced the staff report dated October 21, 2014.

Council discussion ensued.

MOTION: On motion by Mayor Robinson, second by Council Member Voigts, the City Council approved the City Council Written Communication Policy as presented. MOTION CARRIED with Council Member McCullough absent.

18. REQUEST FOR APPOINTMENT - LEAGUE OF CALIFORNIA CITIES, ASSOCIATION OF CALIFORNIA CITIES, ORANGE COUNTY AND/OR THE ORANGE COUNTY CITY SELECTION COMMITTEE submitted by City Clerk.

ACTION: Received and filed.

CITY MANAGER'S REPORT:

City Manager Dunek presented no comments.

CITY COUNCIL COMMENTS:

Council Member Bass spoke regarding the upcoming Council race. He called on all candidates to be civil in the remaining days of the election period.

Council Member Voigts referenced Council Member McCullough's recent illness and asked for the community's thoughts and prayers.

Mayor Pro Tem Nick expressed his appreciation and gratitude for living in the United States of America, referencing turmoil and oppression in his native country, Iran.

Mayor Robinson invited the community to the Sports Park and Recreation Center Grand Opening event on November 1st from noon to 4:00 p.m.


CONTINUED CLOSED SESSION:

There was no continued Closed Session.


ADJOURNMENT:

The City Council of the City of Lake Forest adjourned the regular meeting of the City Council at 8:22 p.m.

Respectfully submitted:


STEPHANIE D. SMITH, MMC
CITY CLERK

APPROVED:


DWIGHT ROBINSON
MAYOR